

REMARKS

The above election is made without prejudice to the right of Applicant to file a divisional application to the non-elected claims.

It should be noted during examination that an Information Disclosure Statement was mailed February 25, 2002, which listed the art cited in the parent application, which has now issued as U.S. patent 6,353,273. Moreover, it is also understood that, as provided by MPEP 609(I)(A)(2), the Examiner will consider information which was considered in parent applications, which would include patents issuing on the parent applications.

It is respectfully requested that the requirement for restriction be reconsidered for the following reasons. The examiner states that independent claims 1 and 17 are to distinct inventions. Claim 8 links together the inventions of claims 1 and 17 in that claim 8 is dependent on claim 1 and recites the invention recited in claim 17. As provided by MPEP 809.03, this linking claim acts to prevent restriction between the inventions. See also MPEP 818.03(d) which requires withdrawal of the restriction requirement if the linking claim is allowed. It is therefore respectfully requested that the restriction be withdrawn in accordance with the above provisions.

Respectfully submitted,

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